

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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TIMMINS SOFTWARE CORPORATION :
d/b/a MITREND, :
 :
Plaintiff, : Civil Action
v. : No. 19-12053-IT
 :
EMC CORPORATION, DELL :
TECHNOLOGIES INC., and DELL INC., :
 :
Defendants. :
 :
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~~Proposed~~
SECOND AMENDED SCHEDULING ORDER

Upon the Joint Motion To Amend Scheduling Order filed by Plaintiff Timmins Software Corporation ("TSC") and Defendants EMC Corporation, Dell Technologies Inc., and Dell Inc. ("Dell") (collectively, the "Parties"), and all other papers and proceedings herein:

IT IS HEREBY ORDERED THAT:

1. Fact Discovery:

- (a) The last day for the Parties to serve any remaining interrogatories or requests for production (except as set forth below) shall be April 30, 2021, with responses to such interrogatories or requests for production to be served no later than June 10, 2021.
- (b) The Parties shall provide supplemental responses to previously-served interrogatories for which the serving Party has informed the responding Party that the responding Party's initial response is inadequate, and the responding Party has agreed to provide a supplemental response, by May 7, 2021.
- (c) Written fact discovery (on all claims, counterclaims, and affirmative defenses) shall be completed by June 10, 2021.
- (d) Privilege logs shall be exchanged by June 17, 2021.

- (e) The last day for the Parties to bring any motion to compel fact discovery shall be June 25, 2021.
- (f) The Court shall hold a status conference, at a time convenient to the Court, in or around the beginning of July, 2021.
- (g) Fact depositions shall be completed by September 22, 2021; any limited requests for production that could not reasonably have been formulated prior to April 30, 2021 must be served no later than three (3) days following the date of a Party's last fact deposition, with responses to be served no later than fourteen (14) days following receipt of the requests.
- (h) The Court shall hold a status conference, at a time convenient to the Court, in or around the beginning of October, 2021.

2. Remaining Case Events: The following schedule applies:

- (a) Disclosure of expert witnesses and reports, if any, by October 27, 2021;
- (b) Disclosure of rebuttal expert witnesses and reports, if any, by December 1, 2021;
- (c) Expert depositions completed by January 28, 2022;
- (d) Dispositive motions filed by February 14, 2022;
- (e) Oppositions to dispositive motions filed by March 18, 2022; and
- (f) Reply briefs related to dispositive motions filed by March 25, 2022.

3. All deadlines and provisions contained in the April 23, 2020 Scheduling Order (Docket No. 51) and the August 24, 2020 Amended Scheduling Order (Docket No. 56) not amended by this Order remain in full force and effect.

SO ORDERED.

Dated: April 14, 2021



Indira Talwani
United States District Judge